

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

JAN 28 2019

Clerk, U.S. Courts
District Of Montana
Missoula Division

In the Matter of:

CV 19-18-M-DWM

FREDRICK C. PAULSON, Owner of a
2015 23' Supra Model SA450, HIN
ISRSA001E415, Colorado
Registration #CL2288GH, her engine,
tackle, apparel, appurtenances, etc.

ORDER

For Exoneration from
or Limitation of Liability

On January 23, 2019, pursuant to 46 U.S.C. §§ 30501 to 30512 and Rule F of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions, petitioner Fredrick C. Paulson filed a Complaint for Exoneration from or Limitation of Liability for all claims for damages and injuries resulting from a July 29, 2018 incident involving his 2015 23' Supra Model SA450, HIN # ISRSA001E415 (the "Vessel") in the navigable waters of Lake Powell. (*See* Compl., Doc. 1.) Among other things, Paulson seeks approval of the Surety Bond he has deposited with the Court as security for his interest in the Vessel, an injunction against all other actions against him or the Vessel for claims resulting from the July 29, 2018 incident, and the publication of notice to all potential claimants to answer the Complaint in this Court or be defaulted.

IT IS ORDERED that, based on the Complaint's assertion that Fredrick C.

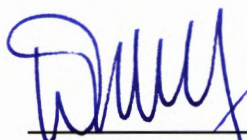
Paulson's interest in the Vessel after the July 29, 2018 incident does not exceed \$95,000, the Surety Bond in that amount deposited with the Court for the benefit of all claimants as security for his interest in the Vessel with six percent interest per annum and costs pursuant to Rule F(1) is APPROVED. Upon the motion of any claimant, the Court shall cause the Vessel to be appraised and may order the amount of the Surety Bond to be increased or reduced accordingly. Upon demand by any claimant and after notice and hearing, the Court may order the amount of the Surety Bond to be increased or reduced as necessary to carry out the provisions of 46 U.S.C. § 30506 relating to loss of life or bodily injury.

IT IS FURTHER ORDERED that, except in the above-captioned case, the commencement or continued prosecution of proceedings involving claims against Fredrick C. Paulson or the Vessel arising out of the July 29, 2018 incident is ENJOINED.

IT IS FURTHER ORDERED that the Clerk of Court shall issue Notice to all persons asserting claims with respect to which the Complaint seeks limitation admonishing them to file their claims with this Court and serve a copy on Fredrick C. Paulson on or before March 29, 2019, or be defaulted. The notice shall further admonish claimants desiring to contest either the right to exoneration from or the right to limitation of liability to file and serve an answer to the complaint unless their claims have included an answer, or be defaulted.

IT IS FURTHER ORDERED that Fredrick C. Paulson shall publish the Notice in the Flathead Beacon of Kalispell, Montana and the Lake Powell Chronicle of Page, Arizona, once a week for four successive weeks, the last publication to appear before March 29, 2019. Paulson shall mail copies of the notice as required by Supplemental Rule F(4).

DATED this 28th day of January, 2019.



Donald W. Molloy, District Judge
United States District Court